

Practitioner's Docket No. 117163-00095

PATENT

03945 U.S. PTO
10/706717

Preliminary Classification:

Proposed Class:

Subclass:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Harder, et al

For (title): ENDOPROSTHESIS

1. Type of Application

This application is for an original (nonprovisional).

2. Papers Enclosed

- A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee"

Mailing Label No. EV 415640068US

Date: 11/11/03

Becky Beese
Type or print name of person mailing paper

Becky Beese
Signature of person certifying

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

New Application Transmittal--page 1 of 4

7 Page(s) of Specification
5 Page(s) of Claims
2 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

2 Page(s) of declaration and power of attorney
1 Page(s) of abstract

3. Declaration or Oath

Enclosed

Executed by:

* inventor.

4. Inventorship Statement

The inventorship for all the claims in this application is the same.

5. Language

English

6. Assignment

An assignment of the invention to Biotronik GmbH & Co. KG is attached. A separate "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" is also attached.

7. Certified Copy

Certified copy of application: ✓

<u>Country</u>	<u>Application Number</u>	<u>Filed</u>
Germany	102 53 634.1	11/13/2002

from which priority is claimed is attached.

8. Fee Calculation (37 C.F.R. § 1.16)

Regular Application										
CLAIMS AS FILED										
Basic Fee 37 C.F.R. § 1.16(a) \$770.00										
Number Filed			Number Extra			Rate				
Total										
Claims (37 C.F.R. § 1.16(c))			37	–	20	=	17	x	\$ 18.00	= \$ 306.00
Independent										
Claims (37 C.F.R. § 1.16(b))			1	–	3	=	0	x	\$ 86.00	= \$ 0.00
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))									\$ 290.00	\$ 0.00
Filing Fee Calculation									\$1,076.00	

9. Fee Payment Being Made at This Time

Enclosed

Filing Fee \$1,076.00

Recording assignment (\$40; 37 C.F.R. § 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".) \$40.00

Total Fees Enclosed \$1,116.00

10. Method of Payment of Fees

Attached is a check in the amount of \$1,116.00.
A duplicate of this paper is attached.

11. Authorization to Charge Additional Fees

The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper of this application.

37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

37 C.F.R. § 1.16(b), (c) or (d) (presentation of extra claims)

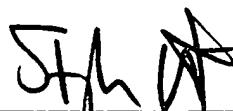
12. Instructions as to Overpayment

Credit Account No. 15-0450.

Date: _____

11/11/03

Reg. No.: 33,390
Tel. No.: 330-864-5550
Customer No.: 021324



Signature of Practitioner

Stephen L. Grant
Hahn Loeser + Parks LLP
Twin Oaks Estate
1225 West Market Street
Akron, OH 44313-7188